

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 21, 2005	CONTACT/PHONE Nick Forester 781-1163	APPLICANT Joseph Sulse	FILE NO. COAL 05-0050 SUB2004-00282
Request by Joseph Sulse for a Lot Line Adjustment to adjust the lot lines between two parcels of 98 and 117.99 acres each. The adjustment will result in two parcels of 90.56 and 125.43 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 6191 Calle Las Colinas (also known as Cressey Street), approximately 1.75 miles west of the town of Creston. The site is in the El Pomar planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0050 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on September 6, 2005			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 043-051-037 043-051-038	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None applicable to this project			
LAND USE ORDINANCE STANDARDS: L.U.O section 22.22.040-Subdivision design, agriculture category			
EXISTING USES: Residence and accessory structures under construction on APN: 043-051-038. APN: 043-051-037 is currently vacant and is used for agricultural grazing.			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture/Grazing East: Agriculture/Grazing South: Agriculture/residential West: Agriculture/Grazing			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Environmental Health, Ag Commissioner, Public Works, Santa Margarita Advisory Council	
TOPOGRAPHY: Gentle slope	VEGETATION: Oak trees and nonnative grasses
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: March 19, 2005

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
98	90.56
117.99	125.43

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The present use of the land is grazing. According to Section 22.22.040 of the Land Use Ordinance, the minimum parcel size for agricultural land used for grazing is 320 acres. Both existing parcels are legal nonconforming to the present minimum parcel size. Although the 98 acre parcel will become less conforming to minimum parcel size by the amount of 7.46 acres, the 117.99 acre parcel will become more conforming to minimum parcel size by the amount of 7.46 acres so the parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to configure the parcels to reflect topography, access and use because the proposed lot line will follow the existing access road and will more naturally conform to the topography of the site.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

Certificates of Compliance (COC2001-054843 and COC2001-054844) have been issued for the two parcels.

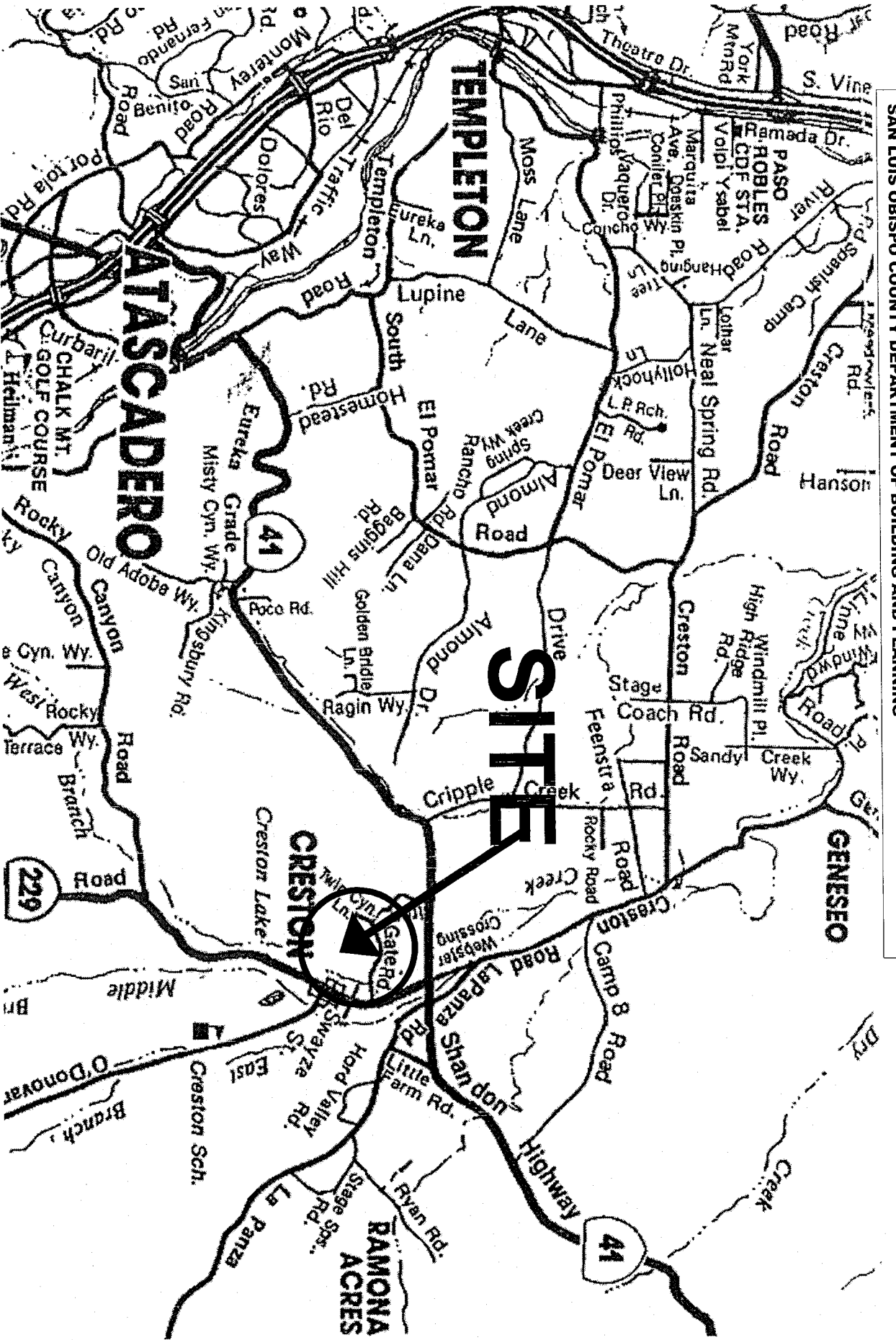
FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15303 because it is a minor lot line adjustment on land with an average slope of less than twenty percent that does not result in changes of land use or density.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action

Staff report prepared by Nick Forester
and reviewed by Kami Griffin



PROJECT

Lot Line Adjustment
Sulse SUB2004-00282



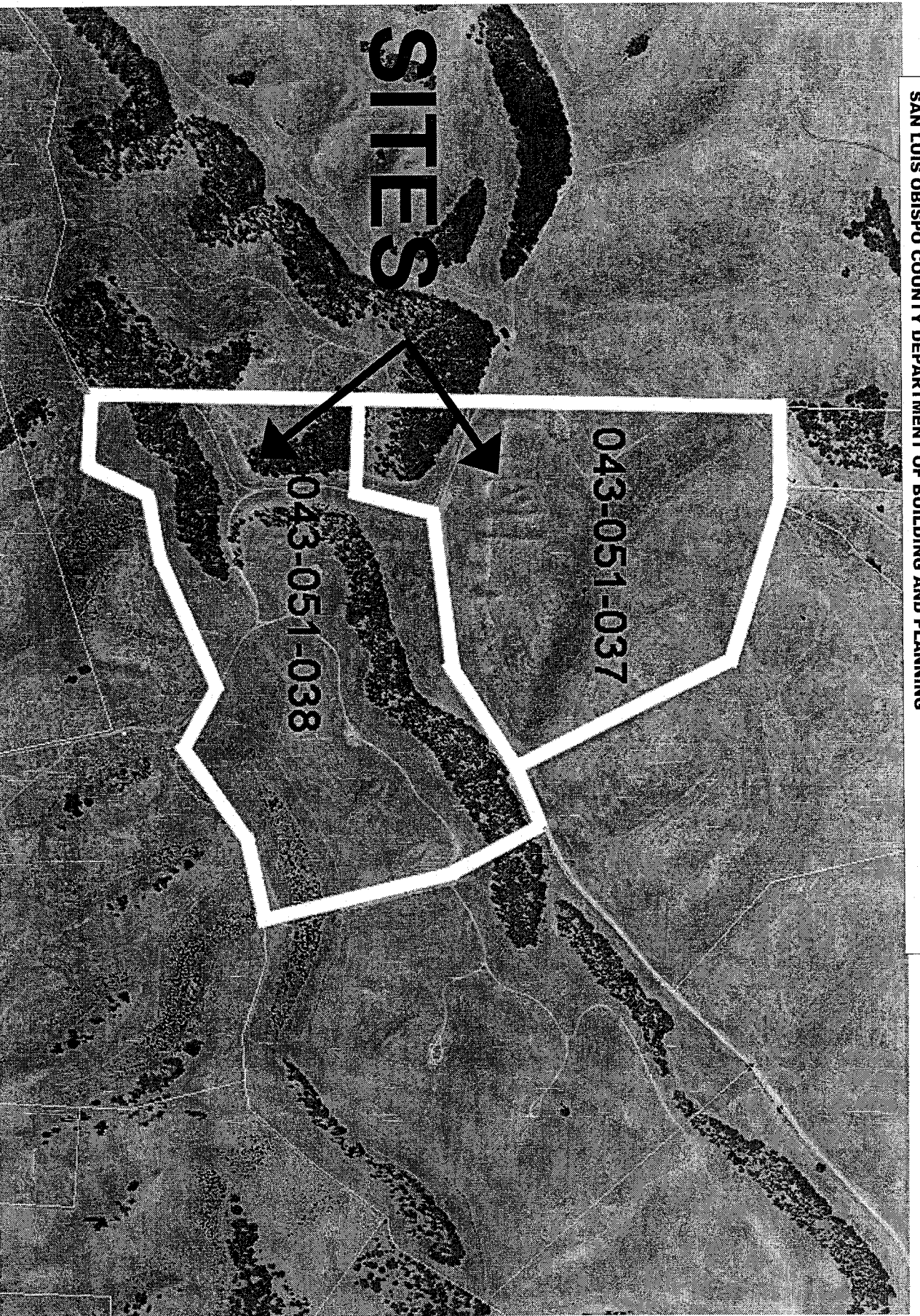
EXHIBIT

Vicinity Map

Lot Line Adjustment
Sulse SUB2004-00282



Land Use Category



PROJECT

Lot Line Adjustment
Sulise SUB2004-00282



EXHIBIT

Aerial Photograph

[illegible]

Lot Line Adjustment
Sulse SUB2004-00282



Site Plan



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY
AGRICULTURAL COMMISSIONER/SEALER

(805) 781-5910
FAX (805) 781-1035
AgCommSLO@co.slo.ca.us

DATE: March 29, 2005
TO: Nick Forester, Project Manager
FROM: Lynda L. Auchinachie, Agriculture Department
SUBJECT: Sulse Lot Line Adjustment SUB2004-00282 (1016)

RECEIVED

MAR 31 2005

SLO CO PLANNING & BLDG.

Comments

The applicant proposes to reconfigure two existing parcels of 98 and 118 acres each to create two parcels of 91 and 125 acres each. The non-conforming parcels have historically been used for dryfarm and grazing activities. The eight-acre area proposed for adjustment is predominately covered with oaks and has limited agricultural potential. The lot line adjustment is proposed to create a more logical configuration by following the existing access road. The project site is located on Cressy Street near the community of Creston.

The Agriculture Department's considers the proposal to be equal to the existing parcel configuration in terms of agricultural resources. This determination is based on a comparison of the proposed and existing parcels when considering potential long-term impacts to agricultural resources and operations.

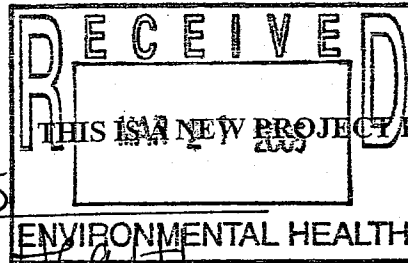
Comments are based on current departmental objectives to conserve agricultural resources and to provide for public health, safety and welfare, while mitigating negative impacts of development to agriculture.

If you have questions, please call 781-5914.



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED
MAR 30 2005
VICTOR HOLANDA, AICP
SLO CO PLANNING & BLDG. DIRECTOR



DATE:

3/18/05

TO:

Env. Health

FROM:

North Co. Team

(Please direct response to the above)

SULSE (COAL 05-0058)

SUB2004-00282

Project Name and Number

Development Review Section (Phone:

788-2009

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

LLA → COAL 05-0050. Located on 216 +/- acres off Las Colinas Road, Creston. Transfer 5 acres from parcel 043-051-037 to parcel 043-051-038.

Return this letter with your comments attached no later than:

4/4/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

____ YES
____ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

____ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

No concerns at this time.

3/29/05
Date

L. Sal
Name

781-5551
Phone



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

MAR 21 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 3/18/05
FROM PW
FROM North Co. Team
(Please direct response to the above)SULSE (COAL 05-0050)
SUB2004-00282
Project Name and NumberDevelopment Review Section (Phone: 788-2009) *OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)PROJECT DESCRIPTION: LLA → COAL 05-0050. Located
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fer 5 acres from parcel 043-051-037 to parcel
043-051-038.Return this letter with your comments attached no later than: 4/4/05PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
✓ YES
NOPART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
✓ NO (Please go on to Part III)
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PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

RECOMMEND Approval — No CONCERNS12 April 2005
DateGoodwin
Name5252
Phone